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HOUSE BILL 2250

By McDaniel

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 215, Part 1, relative to liability for releases from petroleum underground storage tanks.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-215-103, is amended by adding a new item to be appropriately designated:

( ) "Owner of property" means a person or entity that has a fee simple or leasehold interest in property which contains a petroleum underground storage tank but does not control or operate such petroleum underground storage tank;

SECTION 2. Tennessee Code Annotated, Section 68-215-103(16), is amended by deleting the word "or" at the end of subdivision (B); adding the word "or" at the end of subdivision (C); and by adding a new subdivision thereto, as follows:

(D) A responsible party does not include an owner of property who does not directly or indirectly control or influence the operation of a petroleum underground storage tank on such owner's property;

SECTION 3. Tennessee Code Annotated, Section 68-215-111(e), is amended in the first sentence of subdivision (2)(A) by inserting the language "to owners and/or operators and

owners of property” after the language “shall provide coverage” and before the language “for third party claims”.

SECTION 4. Tennessee Code Annotated, Section 68-215-111(e), is amended in the second sentence of subdivision (2)(A) by inserting the language “and owner of property” after the language “before the owner and/or operator” and before the language “is eligible to receive”.

SECTION 5. This act shall take effect July 1, 2002, the public welfare requiring it.